

**REMARKS**

Reconsideration of the application as amended is respectfully requested. The Examiner has restricted examination of claims 1-47 in this application. Specifically, the Examiner restricted claims 1-43 to Invention I as being drawn to methods and apparatus for measuring physiological parameters, and claims 44-47 to Invention II, drawn to a method of assessing changes in volume and osmolarity of body fluids. In addition, the Examiner has indicated the Invention I claims patentably distinct species: Species A drawn to tissue water fraction as the physiological parameter, Species B drawn to oxygen saturation as the physiological parameter, and Species C drawn to fraction drawn to fractional hemoglobin concentration as the physiological parameter.

Although Applicants do not necessarily agree with the Examiner's reasons for restriction, Applicants elect to prosecute claims 1-43 of Invention I, and Species A. Therefore, Applicants have canceled claims 44-47 without prejudice for possible inclusion in a divisional application. This election is made without traverse. Applicants have also withdrawn claims 40-43 as being directed toward an unelected specie. Applicants believe that the remaining claims are directed to the elected Species A.


If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

**General Authorization for Extensions of Time**

In accordance with 37 C.F.R. § 1.136, Applicants hereby provide a general authorization to treat this and any future reply requiring an extension of time as incorporating a request therefor. Furthermore, Applicants authorize the Commissioner to charge the appropriate fee for any extension of time to Deposit Account No. 06-1315; Order No. TYHC:0143 / FLE / P0277R-02.

Respectfully submitted,

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